

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JOSEPH MANTHA, *on behalf of himself
and all others similarly situated,*

Plaintiff,

v.

QUOTEWIZARD.COM, LLC,

Defendant.

Civil Action No. 1:19-cv-12235-LTS

AFFIDAVIT OF COUNSEL

I, Christine M. Kingston, do hereby state as follows:

1. I am an attorney licensed to practice law in Massachusetts and I am counsel of record for Defendant QuoteWizard.com, LLC (“QuoteWizard”) in this action.

2. I have personal knowledge of the matters set forth in this Affidavit. I submit this Affidavit in support of QuoteWizard’s Objections to portions of ECF No. 132.

3. After my office further confirmed with QuoteWizard that it does not have and never had in its possession, custody, or control the consumer communications ordered to be produced under ECF No. 132 (“[A]ll comments by consumers related to the 46,000 Do Not Call requests, whether pertaining to ‘complaints’ about the texts received or simply ‘opt-outs,’ made by consumers who received telemarketing texts from QuoteWizard (including those made on behalf of QuoteWizard by Drips)”), I promptly reached out to counsel for Drips Holdings, LLC (“Drips”) and requested that Drips provide those documents to QuoteWizard pursuant to ECF No. 132.

4. During discussions by both telephone and e-mail, Drips's counsel informed me that Drips refused/declined to produce these documents to QuoteWizard because ECF No. 132 did not apply to or bind Drips and because the contract between QuoteWizard and Drips otherwise did not require Drips to produce the documents to QuoteWizard.

5. I had multiple follow-up communications with Drips's counsel, but Drips's position has not changed and Drips has not produced the documents to QuoteWizard on the aforementioned grounds.

6. A true and accurate copy of Drips's counsel's e-mail to QuoteWizard's counsel dated January 23, 2021, setting forth Drips's position, is attached hereto as **Exhibit 1**.

Signed under the pains and penalties of perjury, this 25th day of January, 2021.

/s/ Christine M. Kingston
Christine M. Kingston